

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:21 CR 774
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
BRANDON THOMAS KERN,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Brandon Thomas Kern, which was referred to the Magistrate Judge with the consent of the parties.

On October 28, 2021 the government filed a 2 count Indictment, charging Defendant Kern Enticement, in violation of Title 18 U.S.C. § 2422(b) and Interstate Travel to Engage in Illicit Sexual Conduct, in violation of Title 18 U.S.C. § 2423(b). On November 2, 2021 Magistrate Judge Parker held an arraignment, during which Mr. Kern entered a plea of not guilty to the charges. On April 28, 2023 Magistrate Judge Parker received Defendant's plea of guilty to count 1 of the Indictment, with a written plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Kern is found to be competent to enter a plea and to understand his constitutional rights. He is aware of

the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Brandon Thomas Kern is adjudged guilty to count 1 of the Indictment, in violation of Title 18 U.S.C. § 2422(b). This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be held on August 17, 2023 at 2:00 p.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

May 18, 2023